

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte SAU-GEE CHEN and  
CHIEH-CHIH LI

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Appeal No. 1997-3424  
Application 08/510,740

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**MAILED**

**FEB 28 2000**

**PAT.&T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES**

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ORDER REMANDING TO THE EXAMINER

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Before STONER, Chief Administrative Patent Judge, HARKCOM, Vice Chief Administrative Patent Judge, and WILLIAM F. SMITH, Administrative Patent Judge.

PER CURIAM

On consideration of the record, we note that the appeal includes a rejection under 35 U.S.C. § 101 involving the statutory nature of computer-related claims. We further note that the evaluation of such claims could possibly be affected by State Street Bank & Trust Co. v. Signature Financial Group, 149 F.3d 1368, 47 USPQ2d

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1596 (Fed. Cir. 1998), cert. denied, 119 S. Ct. 851 (1999) and AT&T Corp. v. Excel Communications, Inc., 172 F.3d 1352, 50 USPQ2d 1447 (Fed. Cir.), cert. denied, 120 S. Ct. 368 (1999). Thus, we hereby remand this application for reconsideration in view of the recent decisions by the Court of Appeals for the Federal Circuit cited above and for any other action that the examiner deems appropriate.

REMANDED

  
BRUCE H. STONER, JR., Chief  
Administrative Patent Judge

  
GARY V. HARKCOM, Vice Chief  
Administrative Patent Judge

  
WILLIAM F. SMITH  
Administrative Patent Judge

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